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SUBJECT: CROATIA ADOPTS LEGISLATION ON DIRECT ELECTION OF MAYORS AND
COUNTY PREFECTS

¶1. On October 5, just one week before adjourning for the upcoming legislative elections, the Croatian Parliament (Sabor) passed a package of legislation providing for direct election of mayors, county prefects, and their deputies. Until now, these officials have been chosen by the members of the local councils or assemblies.

The new law will apply at the next round of local elections, ordinarily due in the spring of 2009. The new law stipulates the winning candidate should obtain at least 50% of the vote to be elected in the first round. If not, the top two candidates compete in a runoff election within two weeks. Candidates are required to collect voters' signatures for their nominations, ranging from 50 in small municipalities to 5,000 in the city of Zagreb. The law obligates candidates to declare the amounts and sources of their campaign funding, and bans contributions from public institutions, state-owned companies and foreign entities.

¶2. In an attempt to reinforce the separation of powers between the executive and legislative branches at the local level, the Sabor has also amended the Law on Local and Regional Self-Government. Local councils and assemblies, which are also directly elected, will now be allowed to call a referendum to recall a mayor/county prefect should the latter break the law. Such referenda would be valid only if voter turnout exceeded 33.3 percent. Similarly, petitions signed by 33.3 percent of registered voters can force a recall referendum. In a final reform adopted on October 5, municipalities and counties in which ethnic minorities constitute more than 15 percent of the population will be required to name a deputy mayor from among its minority councilors/assemblymen.

¶3. COMMENT: Adoption of this law has been one of the democratization reforms actively sought by the U.S., both in the context of Croatia's NATO candidacy, and in our broader efforts to promote reforms. Over the past three years, USAID/Croatia has actively supported the development and enactment of this legislation, organizing roundtables and conferences in support of the legislation, as well as lobbying behind the scenes for its passage. Croatia's Association of Cities, representing the country's municipal governments, will now press for effective implementation of the new laws. END COMMENT.

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